

AT - IFW

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ARNOLD & PORTER LLP

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555 Twelfth Street, NW  
Washington, DC 20004-1206

October 5, 2006

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Conf. No. 1690  
Art Unit: 1634  
Examiner: J. Sitton

Re: U.S. Patent Application Serial No. 09/955,216 filed September 19, 2001  
Inventors: Sherri M. BROWN *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated  
With the Gibberellin Pathway  
Atty. Dkt: 16517.257

Sir:

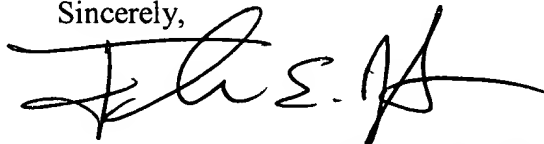
Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Request to Credit Petition for Extension of Time to U.S. Application Serial No. 09/955,216, with attached Exhibit A; and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.257. A duplicate copy of this letter is enclosed.

Sincerely,



Thomas E. Holsten (Reg. No. 46,098)  
David R. Marsh (Reg. No. 41,408)

Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sherri M. BROWN *et al.*

Appln. No.: 09/955,216

Filed: September 19, 2001

Title: **Nucleic Acid Molecules and Other Molecules Associated with the Gibberellin Pathway**

Confirmation No.: 1690

Art Unit: 1634

Examiner: J.S. Sitton

Atty. Docket: 16517.257

**Request to Credit Petition for Extension of Time  
to U.S. Application Serial No. 09/955,216**

***Mail Stop After Final***

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicants hereby request that the Petition for Extension of Time under 37 C.F.R. § 1.136 filed July 21, 2006 be credited to the above-referenced application.

On July 21, 2006, a Petition for Extension of Time under 37 C.F.R. § 1.136 (for a 2-month extension) (the "Petition") was filed in the U.S. Patent Office to provide co-pendency with a continuation application filed on the same date (U.S. Serial No. 11/490,207) claiming priority to 09/955,216. The Petition included a header containing the name of the first-named inventor, attorney docket number, the filing date of the application, the title of the application, the confirmation number, as well as the Examiner and Art Unit. A copy of the Petition and accompanying transmittal letter and U.S. PTO stamped postcard are attached hereto as Exhibit A. The header also contained the Serial Number for the application, but erroneously contained a typographical error, listing the Serial No. as 09/995,216 rather than 09/955,216. That this was a typographical error is obvious based on the other information contained on the header.

Thereafter, the U.S. Patent Office charged the Applicants' representative's deposit account for \$450, but did not attribute the extension of time with the above-referenced application. The requested extension was credited to the 09/995,216 application, an application that has been abandoned since November 15, 2004 according to public PAIR records.

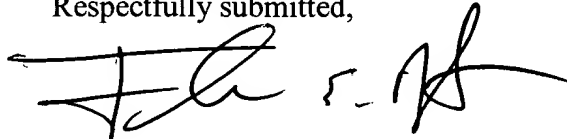
Applicants' representative was contacted by the Examiner regarding this matter. The Office indicated that the extension of time should have been attributed to the above-referenced matter rather than the incorrect application based on the other information contained in the header. This request is submitted in response to this conversation.

In light of the above, Applicants hereby request that the Patent Office credit the Petition for Extension of Time filed on July 21, 2006 to U.S. Application Serial No. 09/955,216 to establish co-pendency with U.S. Application Serial No. 11/490,207 filed on July 21, 2006.

In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any fees are due in conjunction with this filing. However, if any fees under 37 C.F.R. §§ 1.16 or 1.17 are required in the present application, authorization is hereby given in the accompanying transmittal letter.

Should the Commissioner require additional information, he is invited to contact the undersigned at the number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'T. E. Holsten', written over a horizontal line.

Thomas E. Holsten (Reg. No. 46,098)

David R. Marsh (Reg. No. 41,408)

Filed: October 5, 2006

ARNOLD & PORTER LLP  
Attn: IP Docketing  
555 Twelfth Street, NW  
Washington, D.C. 20004-1206  
(202) 942-5000 telephone  
(202) 942-5999 facsimile

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Sherri M. BROWN *et al.*

Appln. No.: 09/995,216

Filing Date: September 19, 2001

Conf. No.: 1690

Art Unit: 1634

Examiner: J. Sitton

Atty. Docket: 16517.257

For: Nucleic Acid Molecules and Other Molecules Associated with the Gibberellin Pathway

**Petition for Extension of Time under 37 C.F.R. § 1.136**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

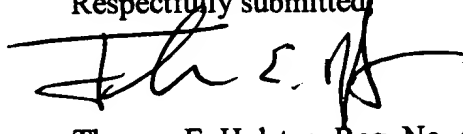
Sir:

By the filing of this Petition and fee, Applicants hereby request that the period for filing a response in the above-identified application be extended two months from May 23, 2006, to July 23, 2006.

The statutory fee (37 C.F.R. § 1.17(a)) is believed to be \$450.00 for a two (2) month extension for a large entity. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned.

Authorization to charge the \$450 extension of time fee to counsel's deposit account is given in the accompanying transmittal letter.

Respectfully submitted,

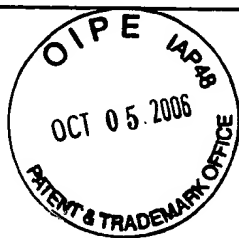


Filed: July 21, 2006

Thomas E. Holsten, Reg. No. 46,098  
David R. Marsh, Reg. No. 41,408

ARNOLD & PORTER LLP  
555 Twelfth Street, N.W.  
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# ARNOLD & PORTER LLP



July 21, 2006

Thomas E. Holsten  
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Washington, DC 20004-1206

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Conf. No. 1690  
Art Unit: 1634  
Examiner: J. Sitton

Re: U.S. Patent Application Serial No. 09/995,216 filed September 19, 2001  
Inventors: Sherri M. BROWN *et al.*  
Title: Nucleic Acid Molecules and Other Molecules Associated  
With the Gibberellin Pathway  
Atty. Dkt: 16517.257

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Petition for Extension of Time under 37 C.F.R. § 1.136 (2 months); and
2. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

Authorization is hereby given to charge the statutory fee of \$450 for a two-month extension of time to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.257.

In the event that extensions of time beyond those petitioned for herewith are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned. Applicants do not believe any additional fees are due in conjunction with this filing. However, if any fees are required in the present application, including any fees for extensions of time, then the Commissioner is hereby authorized to charge such fees to Arnold & Porter LLP Deposit Account No. 50-2387, referencing docket number 16517.257. A duplicate copy of this letter is enclosed.

Sincerely,

Thomas E. Holsten (Reg. No. 46,098)  
David R. Marsh (Reg. No. 41,408)

Enclosures

Atty Docket No: 16517.257  
Date: July 21, 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Sherri M. BROWN <i>et al.</i>	1690	9068
Appln. No.:	09/995,216	Art Unit:	1634
Filing Date:	September 19, 2001	Examiner:	J. Sitton
Title:	Nucleic Acid Molecules and Other Molecules Associated with the Gibberellin Pathway		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Please place the U.S. Patent & Trademark Office receipt stamp hereon to acknowledge receipt of the following:

1. Transmittal Letter (in duplicate);
2. Petition for Extension of Time under 37 C.F.R. § 1.136 (2 months); and
3. Return postcard.



(TEH/kdm)